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March 8, 2004

CAPTAIN OF THE PORT ST. LOUIS POLICY LETTER 01-04

Subj: MARINE SAFETY AT FIREWORKS DISPLAYS

Ref: (a) National Fire Protection Association (NFPA) 1123, Code for Fireworks Displays
(b) Title 33, Code of Federal Regulations (CFR), Part 100
(c) Title 33, Code of Federal Regulations (CFR), Part 160

1. **PURPOSE.** This policy letter sets forth the required guidelines for outdoor fireworks displays on board vessels and floating platforms on navigable waters located within the Captain of the Port (COTP) St. Louis zone.
2. **POLICY.** Applicants are required to submit a marine event permit application and site plans for fireworks displays to the COTP St. Louis no less than 135 days prior to the event if the applicant does not meet criteria specified in 33 CFR 100.15 (c), or 60 days prior to the event if the applicant does meet the criteria. Requirements for site plans are detailed in Section three (3) of this policy letter. To assist in meeting safety requirements, applicants may use the Fireworks Site Plan template in enclosure (2).

The event sponsor is responsible for ensuring the overall safety of the marine fireworks display. Sponsors are encouraged to contact local authorities during the planning phase to ensure all aspects of safety are considered. Furthermore, as described in references (b) and (c), the Coast Guard has the authority to impose appropriate controls on marine events that may pose to be a safety threat to persons, vessels, and facilities in its jurisdiction. Therefore, it is important to understand that approval of these permits require joint effort and support among the event organizers, local authorities and COTP St. Louis, who serves as the Coast Guard's Issuing Authority.

3. **APPLICATION REQUIREMENTS.** Based upon the unique requirements that each event presents, some application reviews are very time consuming and the findings may require modified and/or additional requirements be imposed by the local authority or COTP St. Louis. Therefore, it is essential that marine event applications for fireworks displays be submitted on time to the COTP St. Louis. Failure to do so will delay the application review and approval process and may ultimately require the COTP St. Louis to postpone the event until it can be verified that all requirements have been meet.

Below is a list of minimum requirements that all marine event coordinators affected by this policy shall address in their fireworks site plans.

- a. Provide a list of all involved parties affiliated with the marine event such as fireworks operators, fire departments, police departments, the Federal Aviation Administration, other groups involved in the event, and any other local or state authority having jurisdiction.
- b. Provide a site plan that includes, at a minimum, the dimensions of the discharge site on the vessel/floating platform, the spectator viewing area, the parking area, and the fallout area, along with their associated separation distances.
- c. Describe the vessel/floating platform characteristics, which include length, width, draft, gross tonnage, structural type, and if available the stability details.
- d. Describe whether the vessel/floating platform is self-propelled or controlled by another vessel and its mooring and/or anchoring arrangements.
- e. Address how the vessel/floating platform will be physically secured at all times before, during, and after the event.
- f. Describe the fireworks arrangements on the vessel/floating platform and describe the safety measures in place to ensure the safe execution of the fireworks display.
- g. Describe if the vessel/floating platform will or will not be manned during the electrical firing phase. If the platform will be manned then a safety shelter must be provided that meets the following requirements:
 - Be of sufficient size to accommodate all personnel present during the actual firing of the display.
 - Have a minimum of three sides and a roof.
 - Have walls and a roof constructed of at least ¾ inch plywood or equivalent material.
- h. Provide a copy of the fireworks permit issued by the local fire department or authority having jurisdiction where the marine event is to take place.
- i. Provide proof that the fireworks operator selected for the event has training and experience in arranging and inspecting fireworks discharge equipment. This can be satisfied by including a copy of a current and valid fireworks operator license or proof that the operator is an employee of a company in the business of public display of fireworks. If not licensed, the operator should provide documentation of successfully completing a fireworks course taught by a competent public or private authority. The operator shall provide documentation of having participated in the setup and inspection of

a minimum of one public display within the past twenty-four months.

(Note: Some local and state jurisdictions require fireworks operators to have such licenses. The Coast Guard COTP St. Louis does not license fireworks operators, but requires that all fireworks operators comply with local and state jurisdictional requirements.)

- j. Notify and provide a brief statement that the local Occupational Safety and Health Administration (OSHA) has been notified of the fireworks event.
- k. Submit a safety plan that addresses emergency procedures which include the following items:
 - Emergency procedures as outlined in NFPA 1123, appendix F.6.4.
 - Describe means of communication to alert all involved parties of an emergency.
 - Emergency reporting instructions that describe the information that should be provided to emergency responders.
 - Means of evacuation of the crew, the location and approximate response time of a designated response vessel, and a refuge area for emergency personnel access.

(Note: It is recommended that a standby towing vessel be available to provide assistance in case of an emergency.)

- l. Describe the location, size and makeup of the command center for the event before, during, and after the fireworks show.


(Note: Depending upon the size of the event, the maritime security level at the time of the event, and an array of other factors, the COTP St. Louis may send Coast Guard personnel to the command center and may issue and enforce a waterway security zone.)

- m. Provided a brief statement that a sponsor representative has read, understands, and will comply with all operational restrictions noted in this policy letter.

4. OPERATIONAL RESTRICTIONS.

- a. The COTP St. Louis may require that the vessel/floating platform be examined prior to being used for fireworks displays. This will be determined during the application review phase and, if determined necessary, the examination will be conducted prior to permit approval.
- b. All vessels/floating platforms must comply with Chapter 4 of reference (a).

- c. Dump scows with wall heights exceeding 4 feet in height should not be used for fireworks displays since they increase the difficulty of exiting the vessel.
 - d. Even though NFPA 1123, Section A.4.3.4, allows the use of wooden vessels for fireworks displays their use in marine fireworks displays is strongly discouraged. If floating platforms constructed of wood or other combustible material are used the surface of such platforms must be protected from fire by means acceptable to the authority having jurisdiction. These platforms should also be of sufficient construction and configuration to safely allow the firing of the display.
 - e. Vessels used for fireworks displays should have man overboard handholds or ladders placed in a fashion appropriate to aid the recovery of personnel in the water. If freeboard is excessive or river conditions mandate the tow boat (on a tow boat/barge platform) have its wheel continually engaged, the rescue boat shall be stationed close enough to render immediate assistance.
 - f. Firing of shells should not occur when, in the opinion of the COTP St. Louis, conditions such as rapid water current pose a potential safety hazard to the operation.
 - g. Each vessel/floating platform shall have at least one approved ring life buoy with a lifeline 100 feet or more in length and in good serviceable condition. All such buoys will be stowed for immediate access and use.
 - h. A rescue boat (emergency response watercraft) shall be provided with a communications system capable of conversing with the operator and the command center. The boat or craft shall not be of an inflatable type, and shall be capable of withstanding brief exposure to hot embers.
 - i. No welding or hot work is permitted while fireworks are aboard the floating vessel/floating platform.
5. RESOURCES. The 2000 Edition of reference (a) provides amplifying guidance on this subject. Copies of the code can be purchased for \$28.00 on-line at www.nfpa.org/ or by phone at 1-800-344-3555. Additionally, local fire departments or state fire marshal's offices may have a copy for applicants to review. Applicants with questions concerning this policy letter can contact Chief Warrant Officer Franz Karnuth at (314) 539-3091 ext. 3209.


S. E. ENGLEBERT
Commander, U.S. Coast Guard
Captain of the Port

Enclosure